

2007 DRAFTING REQUEST

Assembly Amendment (AA-SSA1-SB40)

Received: **06/26/2007**

Received By: **pgrant**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Kava**

This file may be shown to any legislator: **NO**

Drafter: **pgrant**

May Contact:

Addl. Drafters:

Subject: **Education - school boards**

Extra Copies: **TKK**

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

LFB:.....Kava -

Topic:

Open enrollment deadline extension for Marinette School District

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant 06/26/2007	kfollett 06/26/2007		_____			
/1			pgreensl 06/26/2007	_____	lparisi 06/26/2007		

FE Sent For:

<END>

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/?	pgrant						
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Handwritten signatures and initials:
pgrant (under Typed)
p8 (under Typed)
p8 (under Proofed)
p8 (under Proofed)

FE Sent For:

<END>

2007

Date (time)
needed

LRB b 0699 1 1
PG : gf : cis

BUDGET AMENDMENT

DN

See form AMENDMENTS — COMPONENTS & ITEMS.

A S AMENDMENT
TO 2007 SB 40 → to SSA 1

substitute amendment
At the locations indicated, amend the bill as follows:

#. Page 1629, line 18: after that line insert-

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

BILL

1 " (1) / (10) f OPEN ENROLLMENT PROGRAM; EXTENSION OF APPLICATION PERIOD.

2 Notwithstanding section 118.51 (3) of the statutes, the following timeline applies to
3 the parent of a pupil who resides in the Marinette School District, who would have
4 been eligible to attend Porterfield Elementary School in the 2007-08 school year if
5 the Marinette school board had not voted to close the school, and who wishes to
6 attend a public school in a nonresident school district in the 2007-08 school year
7 under section 118.51 of the statutes:

8 (a) The parent shall submit an application to the school board of the
9 nonresident school district within 5 days after the effective date of this paragraph.
10 Upon receipt of the application, the nonresident school board shall send a copy to the
11 school board of the Marinette School District and the department of public
12 instruction.

13 (b) Not before the 6th day after the effective date of this paragraph, but by the
14 12th day after the effective date of this paragraph:

15 1. The nonresident school board shall notify the applicant whether it has
16 accepted the pupil and, if it has accepted the pupil, the specific school or program that
17 the pupil may attend in the 2007-08 school year.

18 2. If the Marinette school board denies a pupil's enrollment in a nonresident
19 school district, it shall notify the applicant and the nonresident school board.

20 (c) Within 7 days after receiving notice of acceptance under paragraph (b) 1.,
21 the pupil's parent shall notify the nonresident school board of the pupil's intent to
22 attend school in that school district in the 2007-08 school year.

BILL

1 (d) By September 1, 2007, each nonresident school board that has accepted a
2 pupil under this subsection for attendance in the 2007-08 school year shall report
3 the name of the pupil to the Marinette school board. ,

4 (END)

D-Note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

60699/11dn
LRBb026171dn

JTK:kjf:awn

PG

June 8, 2007

~~Jerre Bauer:~~

Please note that a Wisconsin court might find that this legislation is a "private or local bill" that, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this legislation cannot validly be enacted as part of the state budget bill because the budget bill clearly encompasses more than one subject. Under *Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services*, 130 Wis. 2d 79, 115 (1986), "a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. IV, sec. 18, unless: 1) the general subject matter of the provision relates to a state responsibility of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest."

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

PG

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0699/1dn

PG:kjf:pg

June 26, 2007

Please note that a Wisconsin court might find that this legislation is a "private or local bill" that, under art. IV, sec. 18, of the Wisconsin Constitution, must be enacted as single-subject legislation. If so, this legislation cannot validly be enacted as part of the state budget bill because the budget bill clearly encompasses more than one subject. Under *Milwaukee Brewers Baseball Club v. Wisconsin Dept. of Health and Social Services*, 130 Wis. 2d 79, 115 (1986), "a legislative provision which is specific to any person, place or thing is a private or local law within the meaning of art. IV, sec. 18, unless: 1) the general subject matter of the provision relates to a state responsibility of statewide dimension; and 2) its enactment will have direct and immediate effect on a specific statewide concern or interest."

Peter R. Grant

Managing Attorney

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E-mail: peter.grant@legis.wisconsin.gov



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0699/1
PG:kjf&cjs:pg

LFB:.....Kava - Open enrollment deadline extension for Marinette School District

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2007 SENATE BILL 40

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1629, line 18: after that line insert:

3 “(7f) OPEN ENROLLMENT PROGRAM; EXTENSION OF APPLICATION PERIOD.

4 Notwithstanding section 118.51 (3) of the statutes, the following timeline applies to
5 the parent of a pupil who resides in the Marinette School District, who would have
6 been eligible to attend Porterfield Elementary School in the 2007-08 school year if
7 the Marinette school board had not voted to close the school, and who wishes to
8 attend a public school in a nonresident school district in the 2007-08 school year
9 under section 118.51 of the statutes:

(a) The parent shall submit an application to the school board of the nonresident school district within 5 days after the effective date of this paragraph. Upon receipt of the application, the nonresident school board shall send a copy to the school board of the Marinette School District and the department of public instruction.

(b) Not before the 6th day after the effective date of this paragraph, but by the 12th day after the effective date of this paragraph:

1. The nonresident school board shall notify the applicant whether it has accepted the pupil and, if it has accepted the pupil, the specific school or program that the pupil may attend in the 2007-08 school year.

2. If the Marinette school board denies a pupil's enrollment in a nonresident school district, it shall notify the applicant and the nonresident school board.

(c) Within 7 days after receiving notice of acceptance under paragraph (b) 1., the pupil's parent shall notify the nonresident school board of the pupil's intent to attend school in that school district in the 2007-08 school year.

(d) By September 1, 2007, each nonresident school board that has accepted a pupil under this subsection for attendance in the 2007-08 school year shall report the name of the pupil to the Marinette school board.”.

(END)